

REMARKS

In the February 11, 2005 Office Action, claims 1-11 stand rejected in view of prior art, while claim 12 was inadvertently not examined. In the February 11, 2005 Office Action, all of the claims stand rejected in view of prior art. No other objections or rejections were made in the Office Action.

Status of Claims and Amendments

In response to the February 11, 2005 Office Action, Applicant has amended claims 1, 3, 7, 9, 10, as indicated above, has placed claim 5 in independent form, respectfully traverses the rejections to claims 5 and 8, and has included comments to support the traversal. Thus, claims 1-12 are pending, with claims 1, 3, 5, 7, 8, 9, and 10 being the only independent claims. Reexamination and reconsideration of the pending claims are respectfully requested in view of above amendments and the following comments.

Rejections - 35 U.S.C. § 102

In items 1-3 of the Office Action, claims 1-8 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,030,973 (Nonoyama et al.). In response, Applicant has amended independent claims 1, 3, and 7 to define clearly the present invention over the prior art of record, has placed claim 5 in independent form, respectfully traverses the rejections to claims 5 and 8, and has included comments to support the traversal.

Claims 1, 3, and 7

Claims 1, 3, and 7 have been amended to recite a pair of droplet outlets are fluidly connected to the ejecting head, and that the pressure absorbing portion connects the droplet inlet to the pair of droplet outlets in a bifurcated manner. As seen in Figure 6 of Nonoyama et al., in the embodiments disclosed by Nonoyama et al. that have two outlets, Nonoyama et al. fail to disclose or suggest a pressure absorbing portion that bifurcately connects to two outlets.

Claim 5

Referring to Figure 6 of Nonoyama et al. as an example, Applicant respectfully traverses the rejection of claim 5 because Nonoyama et al. fail to disclose a rubber bushing linking the ejection head 4 to the droplet outlet. On page 3 thereof, the Office Action relies on column 6, lines 40-46 of Nonoyama et al. for this disclosure. However, relying on the same cited lines, which state that the elastic member 88 is pressed against the damper body 60, and Figure 7 of Nonoyama et al., Applicant respectfully asserts the annular elastic member 88 of Nonoyama et al. is pressed to the side of the damper body 60 and does not link the ejection head 4 to the droplet outlet.

Claim 8

Applicant respectfully traverses the rejection of claim 8 because Nonoyama et al. fail to disclose a substrate with a plurality of electrodes. On page 4 of the Office Action, the Office Action relies on Figure 12 to show a substrate. Applicant respectfully asserts no substrate is shown. If item 10 is interpreted to be the substrate as well as the material, item 10 is disclosed as a recording medium, (paper, etc.), which inherently are without electrodes.

Clearly, the structures of amended claims 1, 3, and 7 and original claims 5 and 8 are *not* disclosed or suggested by Nonoyama et al. or any other prior art of record. It is well settled under U.S. patent law that for a reference to anticipate a claim, the reference must disclose each element of the claim within the reference. Therefore, Applicant respectfully submits that claim 1, as now amended, is not anticipated by the prior art of record.

Withdrawal of this rejection is respectfully requested.

Moreover, Applicant believes that dependent claims 2, 4, and 6 are also allowable over the prior art of record in that they depend from the independent claims, and therefore are allowable for the reasons stated above. Also, the dependent claims are further allowable

because they include additional limitations. Thus, Applicant believes that since the prior art of record does not anticipate the independent claims, neither does the prior art anticipate the dependent claims.

Applicant respectfully requests withdrawal of the rejections.

Rejections - 35 U.S.C. § 103

In item 4 of the Office Action, claims 9-11 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,628,430 (Silverbrook et al.) in view of U.S. Patent No. 5,030,973 (Nonoyama et al.). In response, Applicant has amended independent claims 9 and 10, as mentioned above.

Claims 9 and 10 have been amended to recite a pair of droplet outlets are fluidly connected to the ejecting head, and that the pressure absorbing portion connects the droplet inlet to the pair of droplet outlets in a bifurcated manner. On page 5 of the Office Action, it is admitted that Silverbrook et al. do not disclose an ejecting head, thus the Office Action relies on Nonoyama et al. to disclose an ejecting head. As seen in Figure 6 of Nonoyama et al., in the embodiments disclosed by Nonoyama et al. that have two outlets, Nonoyama et al. fail to disclose or suggest a pressure absorbing portion that bifurcately connects to two outlets. Since neither reference disclose this structure, Applicant respectfully asserts that the combination of references do not disclose this structure.

Clearly this arrangement is *not* disclosed or suggested by the Silverbrook et al. patent, Nonoyama et al. patent, or any other prior art of record. It is well settled in U.S. patent law that the mere fact that the prior art can be modified does *not* make the modification obvious, unless the prior art *suggests* the desirability of the modification. Accordingly, the prior art of record lacks any suggestion or expectation of success for combining the patents to create the Applicant's unique arrangement of a method of manufacturing an electrooptical device.

Moreover, Applicant believes that the dependent claims are also allowable over the prior art of record in that they depend from independent claim 10, and therefore are allowable for the reasons stated above. Also, the dependent claims are further allowable because they include additional limitations. Thus, Applicant believes that since the prior art of record does not disclose or suggest the invention as set forth in independent claim 10, the prior art of record also fails to disclose or suggest the inventions as set forth in the dependent claims.

Therefore, Applicant respectfully requests that this rejection be withdrawn in view of the above comments and amendments.

Prior Art Citation

In the Office Action, additional prior art references were made of record. Applicant believes that these references do not render the claimed invention obvious.

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In view of the foregoing amendment and comments, Applicant respectfully asserts that claims 1-12 are now in condition for allowance. Reexamination and reconsideration of the pending claims are respectfully requested.

Respectfully submitted,


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